

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DUVAL COUNTY SCHOOL BOARD,

Petitioner,

vs.

Case No. 17-3806TTS

STEPHANIE STRIPLING-MITCHELL,

Respondent.

_____ /

RECOMMENDED ORDER

On October 4, 2017, Administrative Law Judge Yolonda Y. Green, of the Division of Administrative Hearings ("DOAH"), conducted a duly-noticed final hearing in Jacksonville, Florida, pursuant to 120.57(1), Florida Statutes (2017).

APPEARANCES

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For Respondent: James C. Poindexter, Esquire
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STATEMENT OF THE ISSUE

The issue to be determined is whether Respondent violated the Principles of Professional Conduct for the Education Profession in Florida as alleged in the letter from Duval County

School Board dated May 25, 2017; and, if so, the appropriate disciplinary action.

PRELIMINARY STATEMENT

By letter dated May 25, 2017, Petitioner, Duval County School Board ("Petitioner" or "School Board"), provided Respondent, Stephanie Stripling-Mitchell ("Respondent" or "Ms. Stripling-Mitchell"), with a notice of Step III Progressive Discipline-Reprimand and Suspension Without Pay ("Notice"). The Notice alleged Ms. Stripling-Mitchell exercised poor judgment by placing her hand and arm against student J.K.'s ("J.K. or "the student") throat and pinning him against a wall, after the student swung a laptop at her on April 20, 2017. On the basis of that alleged conduct, Petitioner alleged that Respondent violated section 1012.33(1)(a), Florida Statutes, and Florida Administrative Code Rule 6A-10.081(1)(b) and (2)(a)1.

The Notice informed Ms. Stripling-Mitchell of her right to a hearing to contest the allegations in the Notice. On June 26, 2017, Respondent timely filed a Petition for Administrative Hearing to dispute the allegations in the Notice and challenge the disciplinary action.

On July 3, 2017, the School Board referred this case to DOAH for assignment to an administrative law judge. This matter was initially assigned to Administrative Law Judge Suzanne Van Wyk, who issued a Notice of Hearing scheduling this matter for

August 25, 2017. On August 16, 2017, this matter was transferred to the undersigned. On August 17, 2017, Petitioner filed an Unopposed Motion to Continue the Scheduled Hearing Due to Unavailability of a Witness, which the undersigned granted. The final hearing was rescheduled for September 13, 2017. On September 13, 2017, Petitioner filed an Unopposed Emergency Motion to Continue the Scheduled Hearing Due to Hurricane Irma, which the undersigned granted. The final hearing was rescheduled for October 4, 2017.

The hearing convened on October 4, 2017, as scheduled. At the final hearing, Petitioner presented the testimony of four witnesses: James Gregory, an investigator for the Office of Equity and Inclusion/Professional Standards ("Office of Professional Standards") for the School Board; Tanzania Jones, a Team-Up instructor; Augena Sapp, the principal at Hyde Grove Learning Center ("Hyde Grove") within the School Board system; and Sonita D. Young, the assistant superintendent of Employee Services for the School Board. Petitioner offered Exhibits 1 through 7, 9, 10, 12, 14, 15, and 23, which were admitted into evidence without objection; and Petitioner's Exhibit 18, which was admitted over objection. Respondent testified on her own behalf and offered Exhibits 1 through 7, which were admitted into evidence. The parties stipulated to Petitioner's Exhibit 20, which was admitted as Joint Exhibit 1.

A one-volume Transcript of the hearing was filed by the court reporter on October 30, 2017. On October 31, 2017, Respondent filed a copy of the transcript. The time to file the proposed recommended orders was calculated from the date Respondent filed the Transcript, extending the time frame for the parties to file proposed recommended orders ("PROs") to November 13, 2017.^{1/} The parties timely filed PROs, which have been considered in the preparation of this Recommended Order. On November 14, 2017, Petitioner filed a Motion to Amend Petitioner's PRO, which the undersigned has granted.

This proceeding is governed by the law in effect at the time of the commission of the acts alleged to warrant discipline. See McCloskey v. Dep't of Fin. Servs., 115 So. 3d 441 (Fla. 5th DCA 2013). Thus, references to statutes are to Florida Statutes (2016).

FINDINGS OF FACT

Background

1. Petitioner is the constitutional entity authorized to operate, control, and supervise the system of public schools in Duval County, Florida. Art. IX, § (4)(b), Fla. Const.; § 1001.32, Fla. Stat. Petitioner has the authority to discipline instructional staff and other school employees. § 1012.22(1)(f), Fla. Stat.

2. Ms. Stripling-Mitchell is a teacher covered by the Collective Bargaining Agreement ("CBA") between Duval Teachers United and the Duval County School Board for 2014-2017.

3. At all times material to this matter, Respondent was a teacher assigned to Hyde Grove. During the 2016-2017 school year, Respondent was assigned to teach second-grade students.

4. As a classroom teacher, Respondent was expected to comply with the 2016-2017 staff handbook which required staff members to strive to achieve ethical conduct and to familiarize themselves with the Code of Ethics. Teachers are trained to avoid touching students aggressively and to avoid leaving students unsupervised.

5. The staff handbook provides that students should not be left unsupervised in a classroom or other area. The policy also provides that no student should be sent to the playground without teacher supervision.

6. Ms. Sapp, the principal of Hyde Grove, provided training to the staff during pre-planning training and orientation week. One of those trainings was on Ethics and Professionalism. The training in-service record reflects that Respondent completed the training.

7. During the training, Ms. Sapp provided guidelines for interaction with students and demonstrated the training principles. To avoid aggressive touching of students, she gave

examples as follows: “[i]f a student falls down to the floor, pouting, as children would do, . . . basically ask for them to get up, but, rule of thumb, just not to put your hands on the student.”

8. Ms. Sapp testified that teachers could exercise various strategies to diffuse a situation with a student engaged in disruptive behavior. Teachers are trained to create distance between the child who is being disruptive and the adult, until someone else could remove that child. Another strategy is to transfer the disruptive student to the partner-teacher for time-out. A teacher could also send the classroom partner for help or call the administration for assistance. Ms. Stripling-Mitchell testified that her partner-teacher, Ms. Hinton, was absent on the day of the incident so she did not use that strategy. However, Ms. Stripling-Mitchell did not otherwise use any of the suggested strategies during the incident with the student.

9. The facts that serve as the basis for this case occurred in April 2017. On April 20, 2017, at approximately 2:45 p.m., classes were preparing for afternoon dismissal. At around the same time, Ms. Jones, the Team-Up instructor arrived at the classroom she shared with Ms. Stripling-Mitchell. Team-Up is an after-school program that provides academic enrichment, arts and crafts, and homework assistance. The Team-Up program operates from 2:55 p.m. until 6:00 p.m. each day.

10. As she entered the classroom, Ms. Jones saw Ms. Stripling-Mitchell talking to students to prepare them for dismissal.

11. The students were working on the iReady program using laptops. Respondent was working with three students who were seated in the back left corner of the classroom. Ms. Jones noticed that J.K. was being noncompliant with Ms. Stripling-Mitchell's requests to continue working on the iReady program.

12. As a result of the disruptive behavior, Ms. Stripling-Mitchell directed the student to return his laptop to the laptop cart and leave her classroom. The student continued to be disruptive and stated that he was not going to leave.

Ms. Jones heard Ms. Stripling-Mitchell say, "[l]et me help you out with it," and Ms. Stripling-Mitchell led the student by his left arm to the front of the classroom. Ms. Jones also heard the student say, "[n]o. I didn't do anything. Get your hands off me."

13. While the student walked with Respondent side by side, he continued to resist. When the two arrived at the front of the classroom, the student turned and faced Respondent.

Ms. Stripling-Mitchell bent over toward the student's face. Her face was a few inches from the student's. Ms. Jones saw Ms. Stripling-Mitchell pointing and waving her finger in the student's face while saying, "[w]hat did your mother tell you?"

Didn't she tell you to respect me? I'm going to call your mother and she's going to beat your butt."

14. Ms. Jones testimony about this statement is different in her written statement, which states, "[M]s. Stripling-Mitchell said, What did your mother tell you about being disruptive? What did your mother tell you about being disrespectful to me? I am going to call your mother and tell her everything you have done here today so she can get on your butt!" Ms. Jones was at the back of the room, near the sink, on the opposite side of the room from Ms. Stripling-Mitchell and the student. Although the statements are different, the difference is of minor significance. The evidence demonstrates that Ms. Stripling-Mitchell threatened to call the student's parent while she and J.K. were at the front of the classroom and in front of other students.

15. The student in turn yelled at Respondent to get out of his face. At the same time, he raised the laptop above his head and swung it at Ms. Stripling-Mitchell. Respondent blocked the laptop and took it from the student. The student then attempted to punch Ms. Stripling-Mitchell. She dropped the laptop and blocked his punch.

16. Although Ms. Jones witnessed the events, she had not intervened to assist Ms. Stripling-Mitchell at this point. Ms. Jones contacted the administration office two times, but the

teachers did not receive assistance in the classroom. After Ms. Stripling-Mitchell struggled with the student, she restrained him against one of the two dry-erase boards using her hand and forearm. Ms. Stripling-Mitchell was directly facing the student with her back to the classroom, and the student's back was against the dry-erase board. Ms. Jones testified that Ms. Stripling-Mitchell and the student continued to argue and they moved along the dry-erase board laterally, for approximately eight feet.

17. Ultimately, Ms. Jones separated Ms. Stripling-Mitchell and the student. Ms. Jones walked the student to Ms. Sapp's office. During the walk to the principal's office, the student complained of shortness of breath and was breathing heavily.

18. Ms. Sapp was notified that a student was in her office and there was an issue she needed to address. Ms. Sapp testified that when she initially saw the student, he was crying, huffing and puffing, and breathing hard. When Ms. Sapp asked what happened, the student told Ms. Sapp that Ms. Stripling-Mitchell placed her hands around his throat and that he could not breathe.

19. After J.K. told his account of the incident, Ms. Stripling-Mitchell arrived in the office. Ms. Sapp then met with J.K. and Ms. Stripling-Mitchell. During the meeting, J.K. repeated that Ms. Stripling-Mitchell choked him. Ms. Stripling-Mitchell interrupted J.K. and engaged him in reenactment of the

incident. The reenactment consisted of Ms. Stripling-Mitchell demonstrating how she restrained the student using her hand near his neck. Ms. Sapp then stopped the reenactment and asked the student to wait outside her office.

20. Ms. Sapp told Ms. Stripling-Mitchell she should not touch the children, and Ms. Stripling acknowledged in agreement this was the school policy. Ms. Sapp testified that it was unacceptable for Ms. Stripling-Mitchell to instruct the student to leave her class and go sit at the picnic bench without supervision. Ms. Sapp finished her meeting with Ms. Stripling-Mitchell, and Ms. Stripling-Mitchell returned to her classroom.

21. Before Ms. Sapp met with J.K. and Ms. Stripling-Mitchell, she contacted the Office of Professional Standards for guidance regarding the appropriate next step. Ms. Sapp was advised to obtain statements regarding the incident. Ms. Sapp later asked Ms. Jones to send students who had knowledge of the incident to her office. After speaking with the students, Ms. Sapp asked the students to write statements about the incident as requested by the Office of Professional Standards. The statements were provided to the investigator conducting the investigation of the allegations, Mr. Gregory.

22. Mr. Gregory collected the written statements and interviewed five students the day following the incident. Overall, the students provided varied descriptions of what

happened. Mr. Gregory also conducted an interview of Ms. Jones, a portion of which occurred in the classroom, and requested that she provide a written statement.

23. In addition to obtaining witness statements, Mr. Gregory researched Ms. Stripling-Mitchell's discipline history. He discovered that Ms. Stripling-Mitchell had been the subject of prior investigations that resulted in disciplinary action.

24. On May 18, 2012, Ms. Stripling-Mitchell was investigated for use of profanity, demeaning, and derogatory communication directed toward employees. She was issued a written reprimand, a Step II disciplinary action.

25. In December 2016, Ms. Stripling-Mitchell was involved in an incident with a different student that is of direct relevance to this proceeding. In that incident, a parent complained about Ms. Stripling-Mitchell's interaction with their child. It was determined that during an interaction with a disruptive student, Respondent pushed that student to the floor and verbally reprimanded him in front of other students. The incident resulted in the child being subject to embarrassment and physical aggression. On January 9, 2017, Ms. Stripling-Mitchell was issued a written reprimand, her second Step II disciplinary action. Ms. Stripling-Mitchell was also directed to seek

assistance from the Employee Assistance Program ("EAP") to obtain training on strategies for deescalating situations.

26. After the interviews and review of the statements, Mr. Gregory concluded that Ms. Stripling-Mitchell used inappropriate physical contact with J.K. by restraining him against the wall with her hand and arm against his throat, after J.K. swung the laptop at her.

27. Although not specifically alleged in the Notice, there was a dispute whether the student was choked.

28. Ms. Jones testified that Ms. Stripling-Mitchell choked the student during the incident. However, she did not mention choking in her written statement. At hearing, Ms. Jones was confronted with a text message addressing that issue. The texts were as follows:

Ms. Stripling-Mitchell: I was told that Ms. Timberlake planned or plans to call DCF or someone since J.K. told her I choked him that why he tried to hit me. LIES!!

Ms. Jones: What!!! That's a freaking lie!!! You did not choke him!!!

Ms. Jones' testimony regarding Ms. Stripling-Mitchell choking J.K. was not credible.

29. There was also a dispute regarding whether Ms. Stripling-Mitchell raised her fist toward the student. Ms. Jones testified Ms. Stripling-Mitchell raised her fist and threatened to strike the student. Ms. Jones did not mention this

allegation in her written statement provided days after the incident. Ms. Jones also did not mention this alleged observation when Mr. Gregory interviewed her. Ms. Stripling-Mitchell testified that she did not raise her fist to strike J.K.

30. The student provided a statement describing the incident in his own words. He indicated that Ms. Stripling-Mitchell placed her hand on his neck. There was no reference in the student's statement that Ms. Stripling-Mitchell tried to punch him.

31. Several other students provided written statements which also did not include any indication that Ms. Stripling-Mitchell raised her fist toward the student.

32. The undersigned finds no credible evidence that Ms. Stripling-Mitchell raised her fist to strike the student.

33. There was much discussion at hearing regarding the description and behavioral history of the student.

34. Ms. Jones described the student as a seven-year-old, scrawny boy, standing at four feet, nine inches. She also stated that the student could be sweet, but could be provoked "if things don't go his way, if you threaten him or when the children . . . play a game called "the dozens."^{2/}

35. Ms. Stripling-Mitchell, on the other hand, described the student as routinely disruptive and noncompliant with staff. Between October 2016 and April 2017, J.K. engaged in conduct that

resulted in six referrals. The referrals involved pushing another student, attempting to trip a student multiple times, stabbing a student in the arm with a pencil, and fighting. There were no referrals that involved a confrontation with a teacher.

36. Ms. Stripling-Mitchell provided her account of the incident at hearing.

37. Ms. Stripling-Mitchell testified that she became the student's teacher in August 2016. Shortly after he became her student, she became aware of his disruptive behavior.

Ms. Stripling-Mitchell had a practice of telling J.K., "[I]'m going to call your mom if you don't settle down," to encourage him to stop engaging in inappropriate behavior.

38. On April 20, 2017, Respondent was working with three students on the iReady system when she heard someone say "[t]he folder hit me." When she approached a group of three boys, including J.K., one student said, "J.K. just hit me with a folder." Ms. Stripling-Mitchell instructed the boys to get back to work. Before she returned to her seat, she heard someone say "Stop." She then returned to J.K. and told him, "[y]ou're going to need to go sit on the picnic table." J.K. agreed to return to the iReady activity. However, a short time later, Ms. Stripling-Mitchell heard a loud yell from one of the boys at J.K.'s table. Ms. Stripling-Mitchell then repeated to J.K., "[y]ou're going to have to leave."

39. Ms. Stripling-Mitchell recalls that Ms. Jones arrived and sat at a table in the opposite corner of the room and began changing her shoes. During this time, Ms. Stripling-Mitchell continued to engage in a back-and-forth exchange with J.K.

40. Similar to Ms. Jones' account of the incident, J.K. swung the laptop at Ms. Stripling-Mitchell and she blocked it. Then, J.K. tried to punch her, which she also blocked.

41. Ms. Stripling-Mitchell testified that after she blocked his punch, J.K. continued to attack her by trying to throw her to the floor. She testified that she had to restrain him against the dry-erase board to avoid falling.

42. It is disputed whether the student continued to attack Ms. Stripling-Mitchell after she took the laptop and blocked his punch. Ms. Jones testified the student was not attacking Ms. Stripling-Mitchell, but rather he was trying to get away while Ms. Stripling-Mitchell was restraining him. On the other hand, Ms. Stripling-Mitchell testified that the student was trying to "flip" her, which is why she restrained him. The undersigned finds Ms. Jones' testimony more credible.

43. After J.K.'s failed attempt to punch her, there was no evidence of a threat for which Ms. Stripling-Mitchell needed to defend herself. Even if there was a threat, Ms. Stripling-Mitchell inappropriately touched J.K. by restraining him against the dry-erase board using her hand against his neck area.

Ultimate Findings of Fact

44. Overall, the credible evidence demonstrates that Ms. Stripling-Mitchell restrained the student against the dry-erase board using her hand near his neck.

45. Ms. Stripling-Mitchell exercised poor judgment when she told the student that his mother was going to discipline him at home for his behavior in front of other students.

46. Ms. Stripling-Mitchell exercised poor judgment when she instructed the student to leave her classroom to sit at the picnic bench.

CONCLUSIONS OF LAW

A. Jurisdiction

47. The Division of Administrative Hearings has jurisdiction over the subject matter of this proceeding and of the parties thereto pursuant to sections 120.569, 120.57(1), and 1012.33(6)(a), Florida Statutes (2017).

B. Standards

48. Section 1012.22(1) provides, in part, that a district school board shall “[d]esignate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees . . . , subject to the requirements of [chapter 1012].”

49. The School Board has the authority to suspend instructional employees pursuant to sections 1012.22(1)(a) and 1012.33(6)(a).

50. Respondent is an instructional employee of Petitioner pursuant to the authority of section 1012.33.

51. Teachers are held to a higher moral standard than others in the community because they are leaders and role models. See Adams v. State Prof'l Practices Council, 406 So. 2d 1170, 1172 (Fla. 1st DCA 1981).

52. Section 1012.33(6)(a) provides that the standard for suspension of instructional personnel is "just cause," which includes misconduct in office as defined by rule of the State Board of Education.

53. Section 1012.33 provides, in pertinent part:

(1)(a) Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: immorality, misconduct in office, incompetency, two consecutive annual performance evaluation ratings of unsatisfactory under section 1012.34, two annual performance evaluation ratings of unsatisfactory within a 3-year period under section 1012.34, three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory under section 1012.34, gross insubordination, willful neglect of duty, or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime involving moral turpitude.

* * *

(6) (a) Any member of the instructional staff, excluding an employee specified in subsection (4), may be suspended or dismissed at any time during the term of the contract for just cause as provided in paragraph (1) (a).

54. Florida Administrative Code Rule 6A-5.056 establishes and further defines the criteria for suspension and dismissal of school personnel. Subsection (2) of the rule, in relevant part, provides that:

(2) "Misconduct in Office" means one or more of the following:

(a) A violation of the Code of Ethics of the Education Profession in Florida as adopted in Rule 6A-10.080, F.A.C.;

(b) A violation of the Principles of Professional Conduct for the Education Profession in Florida as adopted in Rule 6A-10.081, F.A.C.;

(c) A violation of the adopted school board rules;

(d) Behavior that disrupts the student's learning environment; or

(e) Behavior that reduces the teacher's ability or his or her colleagues' ability to effectively perform duties.

55. Rule 6A-10.081 Principles of Professional Conduct for the Education Profession in Florida, in relevant part, provides that:

(1) Florida educators shall be guided by the following ethical principles:

* * *

(b) The educator's primary professional concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.

* * *

(2) Florida educators shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.

(a) Obligation to the student requires that the individual:

1. Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.

C. The Burden and Standard of Proof

56. Petitioner seeks to terminate Respondent's employment, which does not involve the loss of a license or certification. Thus, Petitioner has the burden of proving the allegations in its Notice by a preponderance of the evidence. Cropsey v. Sch. Bd. of Manatee Cnty., 19 So. 3d 351, 355 (Fla. 2d DCA 2009); Cisneros v. Sch. Bd. of Dade Cnty., 990 So. 2d 1179, 1183 (Fla. 3d DCA 2008); McNeill v. Pinellas Cnty. Sch. Bd., 678 So. 2d 476 (Fla. 2d DCA 1996); Allen v. Sch. Bd. of Dade Cnty., 571 So. 2d 568,

569 (Fla. 3d DCA 1990); Dileo v. Sch. Bd. of Dade Cnty., 569 So. 2d 883 (Fla. 3d DCA 1990).

57. The preponderance of the evidence standard "is defined as 'the greater weight of the evidence,' Black's Law Dictionary 1201 (7th ed. 1999), or evidence that 'more likely than not' tends to prove a certain proposition." Gross v. Lyons, 763 So. 2d 276, 289 n.1 (Fla. 2000). See also Haines v. Dep't of Child. & Fams., 983 So. 2d 602, 606 (Fla. 5th DCA 2008).

58. The Notice of recommendation of termination alleged that Respondent engaged in an incident of "placing [her] hand and arm against a student's throat and pinning him against a wall." Thus, the scope of this proceeding is properly restricted to those matters as framed by Petitioner. M.H. v. Dep't of Child. & Fam. Servs., 977 So. 2d 755, 763 (Fla. 2d DCA 2008).

59. The evidence established that Ms. Stripling-Mitchell restrained a student against a dry-erase board in a classroom full of students. Ms. Stripling-Mitchell did not exercise reasonable efforts to protect the student from conditions harmful to his physical health and mental health when she restrained the student, which resulted in him crying and being unable to breathe. Ms. Stripling-Mitchell's actions also demonstrated her failure to exercise the best professional judgment when she

restrained the student in front of other students and instructed the student to leave the classroom and go to an unsupervised area.

60. Ms. Stripling-Mitchell argued that the student attacked her with a laptop and attempted to punch her, so she was defending herself. She also argued that the school did not properly train her to deal with a student when attacked. However, the evidence does not demonstrate that Ms. Stripling-Mitchell was under attack when she held J.K. against the dry-erase board and continued to struggle with him. After she removed the laptop and avoided the attempted punch, Ms. Stripling-Mitchell engaged in inappropriate conduct when she continued to struggle with the student.

61. Ms. Stripling-Mitchell exercised poor judgment. She also did not make a reasonable effort to protect the student from conditions harmful to the student's physical health and safety.

62. Article V. C. 1 of the Collective Bargaining Agreement, the Progressive Discipline Policy, provides as follows, in relevant part:

The following progressive steps must be followed in administering discipline, it being understood, however, that some more severe acts of misconduct may warrant circumventing the established procedure:

- a. Verbal Reprimand
 - 1. No written conference summary is placed in personnel file
 - 2. Employees must be told that a verbal reprimand initiates the discipline process
- b. Written Reprimand
- c. Suspension without Pay
- d. Termination


63. Without question, Ms. Stripling-Mitchell violated rule 6A-10.081(1)(b) and (2)(a)1. in such a manner that warrants disciplinary action consistent with the progressive discipline policy.

64. In January 2017, Ms. Stripling-Mitchell received a written reprimand for conduct similar to the facts in this matter. The next step in the Progressive Discipline Policy is suspension without pay. Based on the foregoing, the appropriate disciplinary action for Ms. Stripling-Mitchell's conduct is suspension without pay for 10 days.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is RECOMMENDED that Petitioner, Duval County School Board, enter a final order sustaining the Step III written reprimand and suspension without pay disciplinary action imposed against Respondent, Stephanie Stripling-Mitchell, as an instructional employee of the School Board.

DONE AND ENTERED this 12th day of December, 2017, in
Tallahassee, Leon County, Florida.



YOLONDA Y. GREEN
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Filed with the Clerk of the
Division of Administrative Hearings
this 12th day of December, 2017.

ENDNOTES

^{1/} See Fla. Admin. Code R. 28-106.103.

^{2/} The dozens is a game where the participants exchange humorous insults.

COPIES FURNISHED:

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NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the agency that will issue the Final Order in this case.